

STATE OF GEORGIA

COUNTY OF CLAYTON

RESOLUTION 2007 - 19

A RESOLUTION AUTHORIZING CLAYTON COUNTY TO GUARANTEE THE CLAYTON COUNTY DEVELOPMENT AUTHORITY'S LEASE AGREEMENT WITH THE CITY OF ATLANTA; TO PROVIDE FOR THE TERMS AND CONDITIONS GOVERNING THE USE AND OCCUPANCY OF PREMISES LOCATED AT HARTSFIELD-JACKSON INTERNATIONAL CAMPUS AND SUBLEASE AGREEMENT BETWEEN THE CLAYTON COUNTY DEVELOPMENT AUTHORITY AND TENANTS DEEMED APPROPRIATE FOR SUBLEASE; TO AUTHORIZE THE FINANCE DIRECTOR TO AMEND THE BUDGET WHERE NECESSARY TO REFLECT AN APPROPRIATE REVENUE SOURCE AND EXPENSE, ALL AS MAY BE REQUIRED IN THE TERMS OF THE LEASE AGREEMENT; TO PROVIDE AN EFFECTIVE DATE OF THIS RESOLUTION; AND FOR OTHER PURPOSES.

WHEREAS, the Clayton County Development Authority seeks to enter into a lease agreement with the City of Atlanta for the Hartsfield-Jackson International Campus (formerly known as the Georgia International Convention Center) in order to provide an incubator for companies to locate and establish themselves within Clayton County; and

WHEREAS, the purpose of this lease agreement is to allow the Development Authority the ability to sublease the facility to appropriate tenants, subject to the approval of the City of Atlanta's Aviation General Manager; and

WHEREAS, the Development Authority agrees that the term of the lease agreement with the City of Atlanta will be for three (3) years with two one-year options; and

WHEREAS, the Development Authority agrees either party may terminate the lease upon ninety (90) days written notice beginning February 1, 2007; and

WHEREAS, the Development Authority agrees to accept the premises in its "as-is" condition and further that the City of Atlanta makes no warranty as to the condition of the premises or that the premises will be suitable for the Development Authority's purpose or needs; and

WHEREAS, Clayton County agrees that it will not make any attempt to collect ad valorem taxes on the premises from the City of Atlanta either during or after the expiration of the term of the lease; and

WHEREAS, the Development Authority agrees to assume responsibility for payment of any ad valorem taxes on the premises that become due and payable during the term of the lease, and further that such ad valorem taxes will in turn pass through to a sublessee; and

WHEREAS, the Board of Commissioners deems the lease agreement to be in the best interest of Clayton County, and the County will be best served by approving the lease agreement between the Development Authority and the City of Atlanta, for the above named purposes.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF
CLAYTON COUNTY, GEORGIA, AND IT IS HEREBY RESOLVED

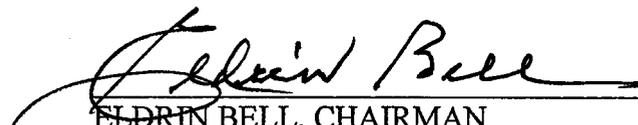
Section 1. The Clayton County Board of Commissioners authorizes Eldrin Bell, Chairman of the Board of Commissioners, to guarantee the lease agreement between the Clayton County Development Authority and the City of Atlanta for the purposes of using and occupying the premises located at Hartsfield-Jackson International Campus. The Board of Commissioners also authorizes Chairman Eldrin Bell to otherwise perform all acts

necessary to accomplish the intent of this Resolution. Further, the Board of Commissioners authorizes the Director of Finance to amend the budget where necessary to reflect an appropriate revenue source and expense, all as may be required under the terms of the agreement.

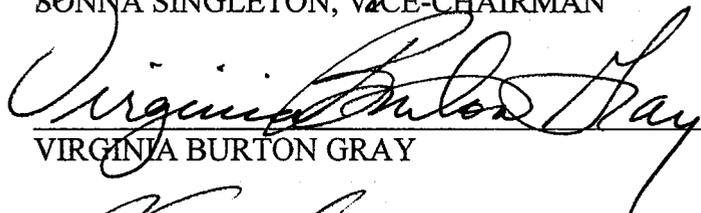
Section 3. This Resolution shall be effective on the date of its approval by the Board of Commissioners.

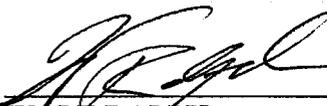
SO RESOLVED, this the 9th day of January 2007.

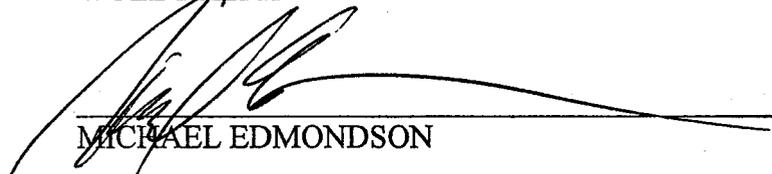
CLAYTON COUNTY BOARD OF COMMISSIONERS


ELDRIN BELL, CHAIRMAN


SONNA SINGLETON, VICE-CHAIRMAN


VIRGINIA BURTON GRAY


WOLE RALPH


MICHAEL EDMONDSON

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